

FILED
Charlotte, NC

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Clerk, US District Court
Western District NC

March 8, 2023

Via Mail/Email

Magistrate Judge David S. Cayer
United States District Court
Western District of North Carolina
401 West Trade Street, Room 1200
Charlotte, NC, 28202

Re: *CPI Security Systems, Inc. v. Vivint Smart Home, Inc. et al*
Case No. 3:20-cv-00504-FDW-DSC

Reply to Vivint's Response to Motion for Transcripts

Dear Magistrate Judge Cayer,

With respect to Vivint's response [docket 155], I would like to briefly reply by stating that delaying public access of transcripts of public court proceedings until the parties have the opportunity to review them for redactions is unwarranted and does not serve the public interest.

The delay is unwarranted because the transcripts which I seek are for closing arguments, which occurred in open court and did not include confidential information. No redactions by the parties regarding those specific proceedings should be needed.

The public interest is also served by detailed, timely journalistic reporting on the outcome of this trial, and not by delaying or obstructing such efforts. The only interest served by an unnecessary delay (unnecessary because no redactions should be required) is Vivint's, in that it may be seeking to limit or delay further "bad press" over the \$189.7 million verdict, including \$140 million in punitive damages, awarded against it.

As I stated in my original motion [docket 153], nothing in the federal court reporters' policies prohibits members of the press or the public from obtaining transcripts from a court reporter before they are remotely accessible to the public in the ECF or before the Release of Transcript Restriction. Indeed, in this very proceeding, a docket entry for a transcript of a pretrial

conference held 12/1/22 before Judge Whitney [docket 133] states: "Transcript may be viewed at the court public terminal **or purchased through the court reporter before the 90 day deadline.**" [Emphasis added.] That is all I wish to do, with respect to a transcript of the closing arguments, in accordance with federal court policies and procedures.

Thank you for your attention to this matter.

Respectfully,

A handwritten signature in black ink, appearing to read 'Christie Smythe', with a stylized, flowing script.

Christie Smythe

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CC: Parties via email.